

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LARRY KAHLEY,

Petitioner,

Case No. 10-12705

HON. JOHN CORBETT O'MEARA

v.

STEVEN RIVARD,

Respondent,  
\_\_\_\_\_/

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the court is a report and recommendation filed January 4, 2012 by Magistrate Judge Paul J. Komives recommending that Petitioner's application for a writ of habeas corpus be denied. Petitioner filed objections to the report and recommendation on January 10, 2012.

This Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made. 28 U.S.C. § 636(b)(1)(C). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." Id.

Having reviewed the record in its entirety, it is hereby ORDERED that the report and recommendation is ADOPTED as the findings and conclusions of this court, and Petitioner's application for a writ of habeas corpus is DENIED.

It is further ORDERED that a certificate of appealability is DENIED.

s/John Corbett O'Meara

United States District Judge

Date: January 31, 2012

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 31, 2012, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager